

In the United States Court of Federal Claims

No. 22-1446

Filed: December 21, 2022

THE EXCELLENT THE EXCELLENT
RAJ K. PATEL,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On October 3, 2022, plaintiff Raj K. Patel, proceeding *pro se*, filed a complaint with this Court, alleging that government actors breached contractual obligations and abridged his “privileges and/or immunities” by committing “battery/assault/torture/genocide/civil rights violation/conspiracy through a psycho-bio-tech stress weapon.” *See generally* Plaintiff’s Complaint, ECF No. 1. On November 15, 2022, the Court issued an order to show cause as to why this case should not be dismissed pursuant to Rule 12(h)(3) of the Rules of the Court of Federal Claims (“RCFC”). *See* Order to Show Cause, ECF No. 11. On that same day, plaintiff filed a motion responding to the Order to Show Cause. *See generally* Plaintiff’s Motion to More Definitive Statement as to Order to Show Cause, ECF No. 12. On November 17, 2022, the Court issued an order dismissing plaintiff’s Complaint for lack of subject-matter jurisdiction under RCFC 12(h)(3). *See generally* Anti-Filing Order, ECF No. 14.

On December 9, 2022, plaintiff filed a motion for reconsideration pursuant to RCFC 59, reasserting his original argument that this Court has subject-matter jurisdiction over his breach of contract claims.¹ *See generally* Plaintiff’s Motion for Reconsideration, ECF No. 17. Motions for reconsideration, however, may not be used to “relitigate old matters, or to raise arguments or present evidence that could have been raised prior to the entry of judgment.” *See Exxon Shipping Co. v. Baker*, 554 U.S. 471, 485 n.5 (2008) (quoting 11 Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure* § 2810.1 (2d ed. 1995)). After careful review, plaintiff brings forth the same jurisdictional arguments in his Motion for Reconsideration, ECF No. 17, as his Complaint and Response to the Court’s Order to Show Cause. *Compare* Plaintiff’s Complaint, ECF No. 1 *and* Plaintiff’s Motion to More Definitive Statement as to Order to Show Cause, ECF No. 12, *with* Plaintiff’s Motion for Reconsideration, ECF No. 17. Accordingly, the Court hereby **DENIES** plaintiff’s Motion for Reconsideration, ECF No. 17.

¹ Plaintiff filed a Motion for Leave to file a Motion for Reconsideration under ECF No. 17. However, the Court construes plaintiff’s Motion for Leave as a Motion for Reconsideration.

IT IS SO ORDERED.

s/ *Loren A. Smith*

Loren A. Smith,
Senior Judge